

**CONFIDENTIAL***File  
O&M 1-1***10 JUL 1984**OFFICE OF LOGISTICS  
PROCUREMENT NOTE   
REVISION 2

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CONTRACTING BY NEGOTIATION -  
DETERMINATION AND FINDINGS 

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Effective immediately, the attached "Class Determination and Findings" (D&F) must be used in lieu of the D&F attached to Procurement Note  dated 13 February 1984. All D&Fs originally distributed under PN  must be destroyed and the attached substituted. The attached is NOT classified.

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Daniel C. King  
Director Of Logistics

CONCUR:

Chief, Logistics and Procurement  
Law Division, OGC**9 JUL 1984**

Date

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Chief, Security Staff, OL

**10 JUL 1984**

Date

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Central Intelligence Agency  
Class Determination and Findings  
Authority to Negotiate Contracts

Upon the basis of the following findings and determination which I hereby made as Director of Logistics, contracts issued by the Central Intelligence Agency may be negotiated without formal advertising pursuant to the authority of 50 U.S.C.A. 403j and 50 U.S.C.A. 403c, wherein reference is made to section 2(c)(17) of The Armed Services Procurement Act of 1947, Pub. L. 80-413, 62 Stat. 21.


Findings

1. The Central Intelligence Agency was established by the National Security Act of 1947 for the purpose of coordinating the intelligence activities of the Intelligence Community departments and agencies in the interest of national security. Pursuant to the National Security Act, the Director of Central Intelligence is responsible for protecting intelligence sources and methods from unauthorized disclosure.
2. The publicity aspects of the formal advertising method of procurement are inconsistent with the basic operational requirements of an Agency whose principal charter is that of an intelligence organization. The two basic publicity aspects of most concern are the general requirements to advertise proposed procurements to the general public and to provide for the public opening of bids. Revelation to the public-at-large of unclassified procurements would provide aspects of this Agency's functions and organization which are protected by law from public disclosure. The accumulation of bits and pieces of unclassified information regarding Agency procurements present an unacceptable risk to the overall mission of the Agency, and leads to the disclosure of intelligence sources and methods and Agency organization and functions.
3. The determination cited below applies to all Agency procurements until revoked or modified in writing by the Director of Logistics.

Determination

Based upon the above findings, all Agency contracts may be negotiated without formal advertising. |

Date **10 JUL 1984**

  
Daniel C. King  
Director of Logistics

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CONCUR:

  
Associate General Counsel

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